**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH**

S.B. CIVIL SECOND APPEAL NO.355/07

Sohan Lal **Versus** Rameshwar Lal Yadav

DATE OF ORDER :: 16/07/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. R. Kishan Daga, for appellant

***

This is plaintiff's second appeal. The suit for permanent injunction and so also appeal preferred by him were dismissed by both the courts below.

Plaintiff-appellant came with a specific case before learned trial Judge that he is in possession of property in dispute and he is going to be dispossessed by defendant. So far as title of the disputed property is concerned, he was unable to controvert and the material has come on record that he was not holding any title. So far as the possession over disputed property is concerned, both the courts below after appreciation of material and evidence, recorded finding against him. In view of fact which has been established on the basis of said finding neither the appellant has any title nor possession over the disputed property.

Counsel for appellant has tried to convince this court that the documents which he has placed

on record was substantially about his possession, but has not been properly appreciated by both the courts below. The question, which appellant has raised, is a pure question of fact and both the courts below recorded concurrent finding of fact with regard to possession against him. No substantial question of law arises for consideration in the instant appeal.

Consequently, the appeal fails and is hereby dismissed.

[AJAY RASTOGI],J.

FRBOHRA,JR.P.A.